

REMARKS

The Examiner noted that claims 1, 9, and 10 are pending in the application and that claim 10 is subject to restriction.

Restriction Requirement

The Applicant respectfully traverses the Examiner's restriction requirement. As such, the Applicant respectfully requests reconsideration of the restriction requirement and requests that the restriction requirement be withdrawn for at least the following reasons:

1. The Applicant's claims 1 and 9 are directed to a manufacturing process for a microwave corrugated-horn antenna. Claim 10 is directed to a microwave corrugated-horn antenna produced by the process of claim 1.
2. The Applicant respectfully submits that the inventive apparatus and process for manufacture of the apparatus are not distinct inventions as required in MPEP § 806.05(f) for a proper restriction.
3. While Examiner has asserted that "the product can be made regardless to whatever process or by another and materially different process instead of the process of claim 1" (Office Action, page 2), it is respectfully asserted that Examiner has not demonstrated that the product as claimed can be made by another materially different process.
4. The Applicant further respectfully submits that if the Examiner continues to find that claims 1-9 and 10 are drawn to two different Inventions, although the Applicant does not concede this point, the search and examination of the entire Application can still be made "without serious burden to the Examiner." (See MPEP § 803)

To the extent this restriction requirement is maintained by the Examiner, the Applicant reserves the right to subsequently file divisional applications in order to

prosecute the inventions recited in any one or more of the non-elected groups of claims and Species. As such and because of the above traversal, the Applicant respectfully submits that the Right of Petition under 37 CFR 1.144 has been preserved.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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